

Appl. No. 10/615,888
Amdt. dated August 4, 2005
Reply to Office action of April 4, 2005

Docket No. 10407-631

REMARKS/ARGUMENTS

In response to the Office Action mailed April 4, 2005, the Examiner's claim rejections have been considered. Applicants respectfully traverse all rejections regarding all pending claims and earnestly solicit allowance of these claims.

1. Claim Objections: Claims 5 and 20

Applicants amend Claims 5 and 20 to insert "of" after the word "removal" and thereby correct the informalities objected to by the Examiner.

2. Claim Rejections under 35 U.S.C. § 112, second paragraph: Claims 6, 7, 21 and 22

The Examiner rejects claims 6, 7, 21 and 22 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which the Applicants regard as the invention. Claims 6, 7, 21 and 22 have been amended to clarify the claimed subject matter thereby obviating the rejection.

3. Claim Rejections - 35 U.S.C. § 102: Claims 1, 2, 5-8, 10-12, 15-17, 20-23, 25-27, 30 and 31

The Examiner rejects claims 1, 2, 5-8, 10-12, 15-17, 20-23, 25-27, 30 and 31 under 35 U.S.C. § 102(e) as being anticipated by Munoz (U.S. Pub. No. 2004/024313). The Applicant respectfully traverses this rejection. For the sake of brevity, the rejections of the independent claims 1, 16, and 31 are discussed in detail on the understanding that the dependent claims are also patentably distinct over the prior art, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate, and independent bases for patentability.

In response, the Applicant submits that Munoz does not anticipate the presently claimed invention. More specifically, the Munoz reference does not disclose "selecting a subset of the spinning reels." That is, all of the reels are spun and then a subset of the reels is selected. In sharp contrast, the Munoz reference merely discloses a method in which the player selects the

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active reels and then the active reels are spun. (See, e.g., Paragraph 4 and 28). Accordingly, the Applicant respectfully submits that the 35 U.S.C. § 102(e) rejection of claims 1, 2, 5-8, 10-12, 15-17, 20-23, 25-27, 30 and 31 has been traversed and respectfully requests allowance of these claims.

4. Claim Rejections under 35 U.S.C. § 103(a): Claims 3, 4, 18 and 19

The Examiner rejected claims 3, 4, 18 and 19 under 35 U.S.C. 103(a) as being unpatentable over Munoz (U.S. Pub. No. 2004/024313).

In response, the Applicants note that claims 3, 4, 18 and 19 are dependent claims that depend from independent claims 1 and 16, respectively. In light of the arguments submitted in Section 3 of this response, the Applicants respectfully submit that dependent claims 3, 4, 18 and 19 are not obvious in view of Munoz because this reference fails to teach or suggest "selecting a subset of the spinning reels" in a gaming method for playing a reel selection slot machine. Moreover, these dependent claims further recite and define the claimed invention, and thus, are independently patentable. In conclusion, the Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 3, 4, 18 and 19 has been overcome.

5. Claim Rejections under 35 U.S.C. § 103(a): Claims 9 and 24

The Examiner rejected claims 9 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Munoz in view of the Price is Right game "Squeeze Play".

Before addressing the merits of the rejection, the Applicant respectfully disagrees with the Examiner's characterization of the Price is Right "Squeeze Play" game. More specifically, the Applicant submits that the remaining numbers do not randomly change position because once a randomly selected number is removed, the order of the remaining numbers is not altered. That is, for example, the first number stays in the first position.

In response to the obviousness rejection, the Applicants note that claims 9 and 24 are dependent claims that depend from independent claims 1 and 16, respectively. In light of the arguments submitted in Section 3 of this response, the Applicants respectfully submit that

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dependent claims 9 and 24 are not obvious in view of Munoz and the Price is Right game "Squeeze Play" because those references, alone or in combination, fail to teach or suggest "selecting a subset of the spinning reels" in a gaming method for playing a reel selection slot machine. Moreover, these dependent claims further recite and define the claimed invention, and thus, are independently patentable. In conclusion, the Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 9 and 24 has been overcome.

6. Claim Rejections under 35 U.S.C. § 103(a): Claims 13, 14, 28 and 29

The Examiner rejected claims 13, 14, 28 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Munoz in view of Fier (U.S. Pat. No. 6,126,542).

In response, the Applicants note that claims 13, 14, 28 and 29 are dependent claims that depend from independent claims 1 and 16, respectively. In light of the arguments submitted in Section 3 of this response, the Applicants respectfully submit that dependent claims 13, 14, 28 and 29 are not obvious in view of Munoz and Fier because these references, alone or in combination, fail to teach or suggest "selecting a subset of the spinning reels" in a gaming method for playing a reel selection slot machine. Moreover, these dependent claims further recite and define the claimed invention, and thus, are independently patentable. In conclusion, the Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 13, 14, 28 and 29 has been overcome.

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CONCLUSION

Applicants have made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of all of claims 1-31 is believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

No fee is believed due with the submission of this paper. However, if the Applicant is mistaken, the Commissioner is hereby authorized to charge any required fees from Deposit Account No. 502811, Deposit Account Name BROWN RAYSMAN MILLSTEIN FELDER & STEINER.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8300. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,

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